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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/491,779	01/26/00	GAUSELMANN	M	ADF231

QM12/0915

Horst M Kasper
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Warren NJ 07059

EXAMINER
COLLINS,D

ART UNIT	PAPER NUMBER
3711	9

DATE MAILED: 09/15/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/491,779	Michael Gauselmann
Examiner	**Group Art Unit**
Dolores R. Collins	3711

☒ Responsive to communication(s) filed on *Aug 24, 2000*

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-8* is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-8* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on *Jan 26, 2000* is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Response to Amendment

Examiner acknowledges response by applicant's representative received 8/24/2000. Examiner further acknowledges the corrections/clarifications made to address some of the issues of the first action.

Drawings

Examiner acknowledges applicant's representative's indication that a separate supplemental response which addresses the drawings will be filed at a later date.

Specification

Examiner acknowledges the title change made to address the issue of descriptiveness. Examiner further acknowledges edits made to the specification to address issues that required clarification/correction.

Claims

Examiner acknowledges amendments made to claims 1 and 3 to address typographical issues.

Drawings

1. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Specification

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 U.S.C. § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Vancura.

Vancura discloses Gaming Machines with Bonusing. In his game he teaches the playing of a bonus game in a secondary machine adjacent to a primary machine. Vancura's invention substantially teaches the limitations as claimed.

Vancura teaches:

Referring to Claim 1, 3 & 7

- that the primary machine acts as a traditional slot machine (col. 18, lines 22-24).
- that the primary gaming machine can be a suitable gaming machine, such as, slot, poker, keno etc.;

and

- the accumulating of winnings in an award meter (col. 17, lines 44-54).

Referring to Claim 2 & 8

- a secondary machine (claim 1);
- a bonus qualifying signal, to play a bonus game on the secondary machine, when a predetermined combination of symbols is obtain (col. 18, lines 24-28);
- determining the winning values and accumulating winnings in the specific winning machine (claim 1).

Referring to Claim 4

- a bonus qualifying event determined after the primary machine is activated (col. 3, lines 18-20 and col.4, lines 55-64).

Referring to Claim 5 & 6

- a secondary machine (claim 1);
- the use a processor to facilitate all the functions of the primary (master) and secondary (slave) machines (see figure 50);
- a bonus/jackpot (claim 12);
- collecting the game results of the secondary machine in the primary machine (col. 16, lines 62-67);
- that the primary machine can be used as a slot, poker or keno machine (col. 5, lines 14-20)

Response to Arguments

Examiner notes applicant's omission of claim 8, in the remarks section, as one of the claims being continued in this case. Examiner assumes that this omission was made in err since applicant did not cancel claim 8 in his amendment.

On page 12, third paragraph , applicant indicated that an abstract was included with this amendment. Additionally, the last paragraph/line of page 12, suggests that an abstract is submitted. Applicant's amendment received 8/24/2000 did not contain a copy of the abstract of this application.

4. Applicant's arguments filed 8/24/2000 have been fully considered but they are not persuasive.

Applicant asserts, on page 14, that the reference to Vancura does not contain a "testing step" for coins. Vancura's invention uses two adjacent gaming machines which, in the preferred embodiment, are slot machines. In col. 5, lines 51-53, it is stated that a player places a wager in the primary slot of the machine "in a conventional fashion." Conventionally, it is known in the art that one could not operate any machine (slot machines included), which is dependent on a wager or initiation device, without inserting the appropriate coin/metal for acceptance. This clearly says that all machines commonly utilize sensor devices to safeguard against foreign/improper

coins/metals being inserted to initiate play/use of machines. Sensor devices are well know in the art, particularly with respect to slot machines.

Applicant further asserts that he could "not see in the Vancura reference any display of a certain symbol combination when a predetermined symbol combination is shown or when a predetermined credit balance is reached." Vancura uses a conventional slot machine. Conventional slot machines commonly display combinations in display windows so that players can view the outcome of their games. Additionally, figures 1 & 2 and will as the outlined embodiment in col.5 speaks clearly to a payline '60 and '65' which reveal display symbols presented when winning combinations are achieved.

In column 17, lines 1-23, the function of the processor. The processor combined "with internal software or a random number generating device '540' randomly rotates the reels." The mere act of spinning the reel create the substitution of symbols. In column 18, lines 24-28, Vancura clearly teaches the switching of automats being played.

Vancura clearly does not have a 'figure 50.' Reference to such is an obvious typographical error. The master/slave limitation addressed at that juncture is obviously shown in figure 5. Reference to 'figure 50' should have in no way presented any confusion.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ***Dolores R. Collins*** whose telephone number is ***(703) 308-8352*** . The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ***Jeanette Chapman***, can be reached on ***(703) 308-1310.*** The fax phone number for the organization where this application or proceeding is assigned is ***(703) 305-3579*** .

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the ***receptionist*** whose telephone number is ***(703) 308-1148.***

Initial ____

Date 9/12/02

JEANETTE CHAPMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700